[Mr. T. K. Velu Pillai.]

the number of members nine. I propose three names *viz.*, Mr. Rangaswami Aiyangar, Mr. Pitt and Dr. Lakshmanan.

The Council accepted the suggestion to appoint the above nine members for the Select Committee.

DEPUTY PRESIDENT: I appoint Mr. Subba Aiyar as the Chairman of the committee.

THE MARKETS REGULATION AMENDMENT BILL.

MR. V. SUBBA AIYAR: Sir, I beg to move that the Markets Regulation Amendment Bill be read in Council.

MR. S. PARAMESVARA AIYAR: I second the motion.

MR. V. SUBBA AIYAR: Sir, the Regulation, as it stands, gives certain powers to the Dewan Peishkars, and appeals from their orders lie to the Dewan. It was only recently that the office of the Land Revenue Commissioner was created. It is with a view to provide for appeals from the decisions of the Dewan Peishkars to the Land Revenue Commissioner and to give relief to the Dewan that the present Bill has been drafted. It does not attempt at anything else. Ordinarily, appeals from the decisions of the Dewan Peishkars shall lie to the Land Revenue Commissioner. The Dewan, of course, has the power to revise the decisions in cases where he thinks it necessary to do so. I hope that the principle of the Bill will be accepted by the House.

MR. T. K. VELU PILLAI. Sir, when the Markets Bill was introduced in the Legislative Council some years ago, I protested against it, but as protests then were more ineffective than now, the Regulation was of course passed. I have been watching how the Regulation is being worked by the Government officers. I must confess that no advantage has been conferred either on the owners of the markets or others who congregate in markets on market days. Drinking water is not available and the markets are generally insanitary. One Sanitary Commissioner—I do not mention his name—has told me that these markets are a disgrace to civilisation. I am quoting his own words—the words of a high officer. Now regarding appeals, I must say that every facility should be allowed to the appellant to have his cases decided by the highest officer available. I have nothing to say against the present Land Revenue Commissioner or against any officer personally. He is a gentleman of ripe experience. But there is no guarantee that the Land Revenue and Income-tax Commissioner will always be a man of experience, particularly after I heard his argument that income-tax collection is such a technical business that real experts ought to be secured. Experience of land revenue affairs may then be a matter of only secondary importance. The result will be that parties will be put to considerable difficulty. An appeal from the decision of a Dewan Peishkar, when heard and decided by an officer of the status of Land Revenue Commissioner, who is after all only a kind of elder brother to the Dewan Peishkar, may not perhaps have a commensurate effect. But when the Dewan hears the appeal, people will repose

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more confidence in the adjudication of cases. I do not think that by all these devices that the ingenuity of our Legislative Department might invent the work of the Dewan could be lightened. I do want the Dewan to enjoy rest, because in order to meet the severe strain of administration, a good deal of rest is required. But I am sure that the Markets Regulation will not give the head of the administration any crop of troubles, because cases will not be so numerous as supposed. It is said that, if the Land Revenue Commissioner confirms the Dewan Peishkar's decision in appeal, there is the right of revision. I am surprised to hear that argument from my learned friend, because these revisional authorities do not always satisfy the ends of justice, unless there is something on the surface, something irregular and manifestly against law and practice. My friend knows the practice in the High Court and he also knows the practice in the Huzur Office. A question of law is sometimes a shadowy matter. It may be substantial enough to the man who asks for the relief, but to the officer who decides, it may be unimportant or frivolous. I am not prepared to place any confidence in the revisional authorities exercising their powers in a proper and careful manner. I am, therefore, in favour of allowing these appeals from the decisions of the Dewan Peishkars to be heard only by the Dewan.

MR. T. KUMARA PILLAI: Sir, ചന്തറ്റ്രലേഷൻപ്രകാരം ദിവാൻപേഷ്കാരന്മാരുടെ തീരുമാനത്തിന്മേലുള്ള അപ്പീലുകൾ ഇപ്പോൾ ദിവാൻജി അവർകളിൽ ഇരിക്കുന്നതിനെ ഭേദപ്പെടുത്തി ലാൻഡ്റവന്യൂ കമ്മിഷണക്ക് ആക്കണമെന്നുള്ള ഭേദഗതിക്കു ലാ മെംബർ പറഞ്ഞിട്ടുള്ള സമാധാനങ്ങളിൽ പലതും സ്വീകാരയോഗ്യമായിട്ടുള്ളതാണെന്നു സമ്മതിക്കാതെ തരമില്ല. എന്നാൽ ചന്തറെഗുലേഷനിലെ വ്യവസ്ഥപ്രകാരം ലൈസൻസിനു അപേക്ഷയായ്ച്ച് ൧൦ ദിവസത്തിനകം ഏതെങ്കിലും തീരുമാനം ഉണ്ടാകാതിരിക്കുന്നപക്ഷം ചന്തക്രടികൊള്ളാൻ അനുവദിച്ചിരിക്കുന്നതായ വകുപ്പ് ഇപ്പോൾ പലേകുഴപ്പങ്ങളേയും ഉണ്ടാക്കിത്തീർത്തിരിക്കുന്നു. ചന്തകളുടെ കായ്ത്തിൽ പലവിധമായ ജാതിവഴക്കുകൾക്കുക്രടി കാരണമായിട്ടുള്ള ദൃഷ്ടാന്തങ്ങൾ എനിക്കു അറിയാവുന്നതാണ്. ഓരോജാതിക്കാക്കും പ്രത്യേകം പ്രത്യേകം ചന്തകൾവേണമെന്ന് ഇപ്പോൾ വാദം തുടങ്ങിയിരിക്കുന്നു. അതിലേക്ക് ഒരുങ്ങിപുറപ്പെട്ടിട്ടുള്ളവരുടെശ്രമം രാജ്യത്തിൽ ജാതിസ്പർദ്ധയെ വർദ്ധിപ്പിക്കുന്നതാണ്. ഇങ്ങനെയുള്ള സ്ഥിതിയിൽ ചന്തകളെപ്പറ്റിവരുന്ന അപ്പീൽ കേസ്സുകളെ വേണ്ടപോലെ പരിശോധിച്ചും ആലോചിച്ചും തീരുമാനിക്കേണ്ടതാണ്. ചന്തകൾ പലേജാതിമതസ്ഥന്മാരും വന്നുക്രടി സഹകരിക്കേണ്ടതായ പൊതുസ്ഥലങ്ങളാണ്; അങ്ങനെയുള്ള ചന്തകളിൽ ജാതിസ്പർദ്ധ മുളച്ചുവളരുവാൻ ഇടയാകാതെ സൂക്ഷിക്കേണ്ടസംഗതിയുടെ അവസാനതീർച്ച ദിവാൻജി അ

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[Mr. G. Parameswaran Pillai.]

വർകളിൽ തന്നെയാണ് സ്ഥിതിചെയ്യേണ്ടത്. ഇങ്ങനെയുള്ള കാര്യങ്ങളിൽ ദിവാൻജി അവർകളുടെ വിലയേറിയസമയത്തെ വിനിയോഗിക്കാൻ ഇടയാക്കാതിരിക്കണമെന്നുള്ള ലാമെംബരുടെ അഭിപ്രായത്തെ ഞാൻ ആദരിക്കുന്നു. എന്നിരുന്നാലും നൂതനമായുണ്ടാകുന്ന ചന്തകൾക്ക് ലൈസൻസുകിട്ടിയല്ലാതെ ചന്തകൂടുക്കുടാൻപാടില്ലെന്നുള്ള ഭേദഗതി ചന്തറഗുലേഷണിൽ ഉണ്ടായിവരുന്നതുവരെ ദിവാൻപേഷ്കാരന്മാരുടെ തീരുമാനത്തിന്മേലുള്ള അപ്പീലുകൾ ദിവാൻജി അവർകളിൽതന്നെ ഇരിക്കണമെന്നാണ് ഞാൻ അഭിപ്രായപ്പെട്ടുന്നത്. എന്നതന്നെയല്ല ദിവാൻപേഷ്കാരന്മാരുടെ തീരുമാനത്തിന്മേലുള്ള അപ്പീലുകൾ ലാൻഡ്റവന്യൂകമ്മീഷണരുടെ ഇന്നത്തെനിലയ്ക്കും സ്ഥാനത്തിനും യോജിക്കയില്ലെന്നാണ് തോന്നുന്നതു. അതിനാൽ ഇപ്പോൾനടപ്പിലിരിക്കുന്ന ചന്തറഗുലേഷൻപ്രകാരം ദിവാൻപേഷ്കാരന്മാരുടെ തീരുമാനത്തിന്മേലുള്ള അപ്പീലുകൾ റവന്യൂകമ്മീഷണർക്ക് കൊടുക്കണമെന്നുള്ള ഭേദഗതിയെ ഞാൻ എതിർക്കുന്നു.

MR. J. JOHN NIDIRY: I also fully support the view expressed by the previous speakers in saying that appeals against the decisions of the Dewan Peishkars under the Markets Regulation should lie to the Dewan direct.

MR. M. K. KHADIR PILLAI: I also support the views already expressed by my friends on this side of this House.

MR. P. K. NARAYANA PILLAI: In supporting the opposition to the measure, I wish to point out an additional reason why the appeal should be heard by the Dewan. As it is, we often hear complaints that all the officers—especially high officers—are already overburdened with work. Now my learned friend, the mover, says that the Land Revenue Commissioner can find time to hear appeals under this Regulation.

DEPUTY PRESIDENT: He said "to lighten the labours of the Dewan."

MR. P. K. NARAYANA PILLAI: I think the Dewan now conveniently and leisurely hears these appeals. I do not know whether any other work of the Dewan has suffered, because he has to hear these appeals. There will not be many appeals after all under this Regulation.

MR. V. SUBBA AIYAR: I do not want to interrupt my friend. But I may say by way of information that this Bill and the next three Bills are drafted with the object of giving relief to the Dewan, so that he may find time to attend to more important affairs of the administration.

MR. G. PARAMESVARAN PILLAI: If that is so, we shall object to them one by one.

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MR. P. K NARAYANA PILLAI: The assumption underlying the proposed amendment is that the Land Revenue Commissioner has some margin of official time at his disposal, to be dovoted to the hearing of appeals under this statute. If the appeal is to be taken away from the jurisdiction of the Dewan, it means that the Dewan will be given leisure to the extent of the work taken away from him. The question is who is to have the leisure and who is to hear the appeals? I would submit that in view of the fact that the Dewan is a more highly paid officer, it is better that his leisure is denied to him and that he himself hears the appeals. The tax-payer who measures the eminence of officers in the light of the pay they draw is interested in seeing his cases decided by the highest officer available. On that ground, I would also support the opposition. As to the other aspect of the question, clearly the implication is that the Land Revenue Commissioner has got some leisure and it is a thing that the Council would certainly take note of and utilise on a further occasion.

MR. JOSEPH PANJIKARAN : Sir, I fully agree with the opinions expressed by my friends that the appellate authority should not be taken away from the hands of the Dewan and vested in the Land Revenue Commissioner. I think that it would be adding to the burden of an officer who is already overburdened with work. The collection of income-tax is already a stumbling block to him as can be seen from the fact that he has again come to this Council saying that the collection of income-tax will suffer, if Income-tax Inspectors are not appointed. I would also add that, before adding to the duties of the Land Revenue and Income-tax Commissioner, the age of the present incumbent of that office should not be left out of consideration.

DEPUTY PRESIDENT: I think that the age of the present Land Revenue Commissioner is not relevent so far as the discussion is concerned. We are discussing the Commissioner in the abstract and not in the concrete.

MR. R. KRISHNA PILLAI: Sir, there is great congestion of work in the Dewan's office, and it is absolutely necessary that he should be given relief in routine matters, so that he may be able to concentrate attention on important measures of administration. Appeals have very often to be adjourned because the Dewan could not find time to hear them. Even after he ceases to hear appeals, the power of revision will be vested in the Dewan.

MR. T. K. VELU PILLAI: Is the Dewan personally interested in this? If it is a personal request, I think that there can be no objection.

MR. R. KRISHNA PILLAI : I do not put it on personal grounds at all. On principle, it is necessary that the Dewan should have ample time to devote to important matters of public utility.

DEPUTY PRESIDENT: It is a Government measure and you may draw your own inference.

MR. R. KRISHNA PILLAI: As I have already said, a number of appeals have to be adjourned, because the Dewan has no time to attend

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[Mr. G. Paramesvaran Pillai.]

to them. Even after the right of hearing and disposing of appeals is taken away from the Dewan, he will continue to exercise the right of revision, and if any party is dissatisfied with the decision of the appellate authority, it will be open to him to approach the Dewan and get his grievances redressed. I believe it is within the knowledge of all that the Dewan often entertains revision petitions in cases where no regular appeal lies to Government. There need not, therefore, be any apprehension that, because the power of hearing appeals is taken away from him, he would not admit revision petitions and render substantial ustice to aggrieved parties as at present when needed.

MR. J. JOHN NIDIRY: May I know the number of appeals filed last year?

MR. R. KRISHNA PILLAI: I have not got the exact figures with me. But I know there were a number of appeals filed in 1097.

MR. N. KUMARAN: May I know whether these review petitions will not take up the Dewan's time?

MR. R. KRISHNA PILLAI: Of course, they will.

MR. P. K. NARAYANA PILLAI: This is a new ground which was not adverted to by Mr. Subba Aiyar and I wish to say a word upon it.

MR. V. SUBBA AIYAR: I have said that the measure is intended to give relief to the Dewan.

DEPUTY PRESIDENT: Mr. Narayana Pillai, I am sorry that the rules do not permit me to allow you to speak again.

MR. G. PARAMESVARAN PILLAI: The Chief Secretary has raised an important question of principle, and I wish to make a few observations on the principle of the Bill in the light of the explanation offered by him. I fully agree with the Chief Secretary in thinking that the Dewan's office suffers from congestion of work. Indeed, if it were possible, the Dewan should be given ample relief so as to enable him to devote adequate attention to the shaping of broad questions of policy affecting the general administration of the State. The Dewan has now to deal with minute details of departmental administration which might well be left in the hands of officers who, though ultimately subject to his control, will be equally responsible as himself for the proper and efficient administration of such departments. But have we any such officer in Travancore? Here the Dewan who is the Head of the entire general administration of the State combines in himself the sole responsibility for the proper conduct and working of the several departments. For instance, the Land Revenue Commmissioner, if I am not mistaken, does not correspond to the "Member for Revenue" elsewhere. He is merely the head of the Land Revenue Department for certain purposes. He is not responsible for the policy or administration of the Land Revenue Department in the sense in which the Dewan is deemed responsible for the same. In fact, the Dewan is now his own Revenue Member. So is the case with other departments as well. Under such circumstances,

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it is open to the Dewan to advise the Sovereign and take such steps as may be necessary for the creation of an officer or officers who will be in independent charge of particular groups of departments and will be equally responsible with the Dewan for the administration thereof. Heads of departments, as they are, should not be the final arbiters in the matter of appeals filed on the orders of the authorities immediately below them. For instance, until 1097, the Dewan Peishkar was, in his own Division, regarded as the head of the Land Revenue Department. Now, the Land Revenue Commissioner is the head of the Land Revenue Department as a whole. Whereas formerly all appeals from orders passed by the Peishkar lay before the Dewan, now they have to be filed before the Land Revenue Commissioner who is but the head of a department and subordinate to the Dewan. Such appeals were heard by the Dewan not as the head of any particular department. I do not approve of the provision whereby the Land Revenue Commissioner is to be empowered to hear appeals from the orders of the Dewan Peishkar. We want an officer who, being responsible for the administration of particular departments, will be competent to hear appeals from the orders of the heads of departments themselves including the Land Revenue Commissioner. If, on account of the existing system, the Dewan is unable to devote adequate attention to large questions of administrative policy, it is high time that he takes the necessary steps for securing relief from routine work and giving us the benefit of officers who will be in independent charge of particular groups of departments and will be equally responsible with him for the administration and policy of guiding such departments. If this principle is recognised and accepted, I have no objection to the Dewan's power of hearing appeals being made to devolve upon another officer of the status described above. Otherwise I oppose the principle of the amendment sought to be introduced by Mr. Subba Aiyar in the Markets Regulation Amendment Bill and one or two other Regulations which he will ask us to consider presently.

The House rose for lunch at 2-15 P. M.

The Council reassembled after lunch at 3 P. M.

MR. A. HOOGEWERF: Sir, I quite agree with what the Chief Secretary to Government has said that the Dewan should have time left to see to the weightier matters of administration. He is the brain of the whole administration and the brain must have time to think out big plans concerning the State. The brain should also have a little rest. Now that the discussion has got into broader lines, I am of the same opinion as Mr. G. Paramesvaran Pillai. There should be division of work in the Huzur Office, and there should be responsible officers of high status with separate portfolios to relieve the Dewan of his heavy work. We see the defect of the present administrative machinery in this Council itself. The heads of departments stand up to speak on behalf of Government when questions of principle and policy are brought up and apparently want inspiration from the President who is the head of the administration. I do not speak disparagingly of the heads of

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[Mr. K. P. Raman Pillai]

departments, but only say that, under the system under which they work, they are not in a position to explain the policy of Government in matters concerning them. It is, therefore, desirable that there should be responsible ministers who can speak with authority in matters of policy.

MR. N. RAMAKRISHNA PILLAI: Sir, I think that the appellate jurisdiction under this Regulation may be given to the civil courts just as appeals are allowed to be heard by those courts under the Land Acquisition and other Regulations. It is essential that the appellate authority should possess the greatest confidence of the public, and, as such, my suggestion is that the appellate jurisdiction under this Regulation may also be transferred to the civil courts. This is the safer course that suggests itself to me, if the Dewan is unable to find time to devote to this work. I agree fully with my learned friend, Mr. G. Parameswaran Pillai, and I strongly oppose the amendment.

MR. A. GOVINDA MENON: I would like to support the suggestions of Mr. Ramakrishna Pillai in the matter of appeals to the civil courts. When, under the Land Acquisition Regulation, Forest Regulation and other Regulations, appeals are allowed to be referred to the civil courts, I do not see why the Land Revenue Commissioner should be loaded with this work—much less the Dewan. I would also suggest one other solution. I know that the suggestion is not a good one; but at any rate it is better than the one put forth in the Bill before us. An independent body composed of one or two Secretaries from the Secretariat, including the Chief Secretary, may form a Board and the Dewan should be empowered to delegate his power of hearing the appeals in question to that Board. We have not, at present, got any Board like the Revenue Board in Madras. Hence my suggestion may well be given a trial in this instance.

MR. K. P. RAMAN PILLAI: I also take this opportunity to endorse the plea put forward by Government that the Dewan ought to be relieved of much of the routine work with which he is at present bothered, so that he may be able to devote his attention to matters affecting the common welfare of the country. I regret I cannot share the optimism of the Chief Secretary that the Dewan will be able to do this if he is relieved of this appellate work alone. My own idea is that his failure is not on account of the heaviness of his file, but on account of the highly centralised system of government that has been and that is being carried on for years. Several radical methods have to be adopted to change the system of administration. The sooner this is done, the better. Further, the post of the Land Revenue Commissioner has been created, particularly with a view to collect as much revenue from land, income-tax and kindred sources, as possible. He being the principal officer responsible for such kinds of revenue, it is highly undesirable that he should be the appellate authority in matters of that kind. So, I would agree with my friend, Mr. Ramakrishna Pillai, in suggesting that the right of appeal may be given to civil courts.

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MR. V. SUBBA AIYAR: Sir, it is a matter of great surprise to me that this short Bill which I expected to be a non-contentious measure, should have raised such a storm of opposition and that the discussion should have travelled farther from the real point in issue. The question before the House is whether, from the decision of a Peishkar under the Markets Regulation allowing or refusing to issue a license for a particular market, an appeal should lie to the Land Revenue Commissioner or to the Dewan. It is a matter of common knowledge that, in every matter connected with any department, before any appeal is taken to the Government, the proper channel through which one should pass is the head of that department; so that, unless an appeal has been preferred to the head of the department, no appeal to Government ought to lie. The existing Regulation empowered an appeal to the Dewan, because the Dewan was then recognised to be the head of the Land Revenue Department. After the creation of the office of the Land Revenue Commissioner, I believe it will be admitted by the House that the Land Revenue Commissioner is the head of the Land Revenue Department. Now, if you accept the principle on which the Bill is opposed, the position would be this: if an Inspector passes an order, the appeal shall lie, not to the Director of Public Instruction, but direct to Government. So also in the case of every other department. That, in the first place, is wrong on principle. My friend, Mr. T. K. Velu Pillai, asked whether the Dewan really wanted relief. Now I can tell him plainly that every Bill that is drafted and presented before this House, so far as I know, is approved by the Dewan and, unless he directs that a Bill should be drafted in a particular manner, no Bill is ordinarily taken up. Not only that, he goes through every Bill before it is sent to the press. So that, unless the Dewan wanted it, the Bill would not have been here.

MR. T. K. VELU PILLAI: I must correct Mr. Subba Aiyar. My question was whether the Dewan personally wanted any relief.

MR. V. SUBBA AIYAR: I do not know whether the present Dewan meant relief personally, but the Dewan as Dewan certainly wants it. I believe every member of this Council knows, though the present Council has been in existence only for a short time, what amount of work it entails on the Head of the Administration who is the President. In admitting or rejecting every blessed interpellation that is sent, in passing the answer to every question and thus satisfying the House, in admitting or rejecting every resolution and deciding the attitude of Government towards the same—

MR. JOSEPH PANJIKARAN: I do not quite understand what is meant by the word 'blessed' uttered by Mr. Subba Aiyar before the word interpellation. I want to know if that word is found in the Regulation.

MR. V. SUBBA AIYAR: I never intended to offend him or any other member. It is only to emphasise the amount of time occupied by each question that I have used that word. I never meant any offence. If I have offended any member, I beg to apologise for the same.

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[Mr. V. Subba Aiyar.]

And then, with reference to the budget, every member should know that the most minute details have to be passed by him in consultation with the heads of departments. So also, the Assembly sessions must necessarily take up a good portion of his time. I believe every one of us here is desirous of seeing that the money spent by Government in the matter of the administrative machinery should be used to the best advantage and I believe the sense of the House also is to turn out the maximum amount of work, to the best advantage of the State, from a particular officer. That being the case, I ask the House whether the Head of the Administration receiving Rs. 2,500 a month should be saddled with the work of hearing an appeal involving the question whether an order granting or refusing a license for a market in a remote corner of Travancore is right or wrong. In the case of income-tax, from the decision of the Peishkar the final appeal lies to the Land Revenue Commissioner. Why an appeal should not lie in the present case to the Land Revenue Commissioner, why it should go to the Dewan, and why, under the circumstances, it should have raised such a storm of opposition, I fail to conceive. Every one, I believe, knows the present Dewan intimately. Can anybody say that he spares himself in the matter of work and wants relief for the purpose of having some leisure?

MR. G. PARAMESVARAN PILLAI: I wish to point out that that does not arise here.

MR. V. SUBBA AIYAR: It does arise here, because one member referred to it. We want the Dewan to do work of a higher kind; we want him to do that work which it is absolutely necessary that the Head of the Administration alone should do; and not that he should pay attention to every minute detail which there are the heads of departments to take care of. Under these circumstances, I believe, it is not advisable, apart from everything else, to say that an appeal under the Markets Regulation should go to the Dewan.

One of my friends suggested, and some agreed, that the matter must go up to the District Court. I am sorry that that suggestion should have been made. It is not a case under the Forest Regulation where the question is whether an area claimed belongs to Government or not. There it is a question of civil dispute and the civil court decides it. Similarly also under the Land Acquisition Regulation, the civil court decides who is entitled to the property acquired and what the amount of compensation should be. But the issue of a license to a market under the Markets Regulation is a question of policy, and the matter to be considered is whether, under particular circumstances, a person may be allowed to have a market at a certain place, whether it would interfere with an existing market or whether the location at a particular place is likely to bring about a breach of the peace. All these are circumstances foreign to a judicial officer. And if we entrust a judicial officer with this work, that judicial officer will cease to be a judicial officer, but will become the much-condemned revenue officer. The judicial officer decides

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cases between parties that are before him and does not decide questions of policy. I beg to submit that such a question ought not to have been brought forward for the consideration of the House so far as the present Bill is concerned. I, for one, shall not be a party to entrust a question of policy to a civil court which will have to do with the more onerous work of administrative justice. The question at present is whether the Dewan should have relief or not. After seeing his work in the Council, after they have known of his heavy work in the office, if the members should think that the Dewan does not require relief, and that he should decide a case under the Markets Regulation, I can only say that we are not taking a correct view.

MR. K. PARAMESVARAN PILLAI: We have not been told as to how much relief is required by the Dewan.

MR. V. SUBBA AIYAR: I know there are appeals under this Regulation pending disposal. I am aware of an appeal from the decision of a Peishkar refusing to allow to hold a market for 1097, which was pending in the office of the Dewan till about the last day of Karkadakam, 1097, because he could not find time to dispose of it. If an appeal for the granting of a license for 1097 could not be disposed of by the Dewan till the end of that year, how on earth is it possible to expect that he will be able to attend to these appeals and pass orders? I beg to submit that the Bill which has been placed before the House is not one in which there ought to be any contention or dispute as to its propriety. I have not the slightest doubt that the Bill will meet with the approval of the House and that its principle will be accepted.

DEPUTY PRESIDENT: Gentlemen, I do not propose to make any observations with reference to the merits of the Bill. They have been sufficiently discussed. The question before the House is that the principle of the Bill be accepted.

The motion was put to the vote and lost, 19 voting *for* (including the Deputy President) and 20 *against*.

MR. V. SUBBA AIYAR: May I demand a poll?

The House divided as follows:

AYES—21.

Mr. K. Anantanarayana Aiyar.	Mr. M. Raja Raja Varma.
,, I. C. Chako	Rao Bahadur K. V. Rangaswami Aiyangar.
,, R. Dhanukoti Pillai.	Mr. V. Subba Aiyar.
,, K. V. Natesa Aiyar.	,, A. J. Van Ross.
,, K. George.	,, Paul V. Daniel
,, L. C Hodgson.	The REV. Fr. Kurjakose Vettikkapalli.
,, R. Krishna Pillai	Mr. T. Lakshmana Pillai.
Dr. N. Kunjan Pillai.	,, P P aramesvaram.
Dewan Bahadur Dr. P. N. Lakshmanan.	,, S. Subrahmanya Karayalar.
Mr. S. Paramesvara Aiyar.	The Deputy President.
,, W. H. Pitt.	

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[Mr. P. K. Narayana Pillai.]

NOES—23.

Mr. T. M. Chidambaratanu Pillai.	Mr. J. John Nidiry.
,, A. Govinda Menon.	,, M. N. Pillai.
,, A. Hoogewerf.	,, N. Padmanabha Pillai.
,, M. K. Khadir Pillai	,, Joseph Panjikaran.
,, C. P. Kochukunju Pillai.	,, K. Paramesvaran Pillai.
,, S. Krishna Aiyar.	,, G. Paramesvaran Pillai.
,, N. Kumaran.	,, K. C. Raja Raja Varma.
,, T. Kumara Pillai.	,, N. Ramakrishna Pillai.
,, V. Kunjukrishna Pillai	,, C. Ramankunju.
,, M. R. Madhava Variar.	,, K. P. Raman Pillai.
,, P. K. Narayana Pillai.	,, Dominic Tomman.
	,, T. K. Velu Pillai.

The motion was declared lost.

THE REVENUE SUMMONS REGULATION AMENDMENT BILL.

MR V. SUBBA AIYAR: I beg to move that the Revenue Summons Regulation Amendment Bill be read in Council.

MR. S. PARAMESVARA AIYAR: I second it.

MR. V. SUBBA AIYAR: As it is, the Land Revenue Commissioner has no power to summon anybody and, therefore, that defect has been rectified and the Bill has been reprinted without any addition or serious modification except insofar as the Land Revenue Commissioner is also given the power to issue revenue summons in matters mentioned in the Regulation itself, along with the Division Peishkar. The Sections are rearranged without any material alteration. I beg to move that the principle of the Bill be accepted.

MR. P. K. NARAYANA PILLAI: What is the particular occasion on which the Land Revenue Commissioner has to summon anybody? Is he not generally hearing appeals only?

MR. V. SUBBA AIYAR: The occasions may be very few; but still a provision is absolutely necessary.

MR. P. K. NARAYANA PILLAI: How has he been doing it till now?

MR. V. SUBBA AIYAR: Mr. P. K. Narayana Pillai might know that the office itself was created only recently.

MR. P. K. NARAYANA PILLAI: Before this occasion has he not been summoning anybody?

DEPUTY PRESIDENT: It might be that he was summoning, but the men refused to attend. That is why you have to make a statutory provision.

MR. P. K. NARAYANA PILLAI: I wish to hear the Land Revenue Commissioner himself on this point.

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